

SENATE BILL 50

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M2

2004 Regular Session
4r0157

(PRE-FILED)

By: **Chairman, Education, Health, and Environmental Affairs Committee**
(By Request - Departmental - Natural Resources)

Requested: November 3, 2003

Introduced and read first time: January 14, 2004

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Natural Resources - Fishing Licenses and Authorizations - Suspension and**
3 **Revocation**

4 FOR the purpose of altering the criteria for suspension and revocation of certain
5 fishing licenses and authorizations under certain circumstances; authorizing
6 the Department of Natural Resources to suspend or revoke certain fishing
7 licenses for certain convictions; establishing certain hearing procedures;
8 requiring the Department to adopt certain regulations in accordance with
9 certain recommendations; making stylistic changes; and generally relating to
10 the suspension and revocation of fishing licenses and authorizations.

11 BY repealing and reenacting, with amendments,
12 Article - Natural Resources
13 Section 4-701 and 4-745
14 Annotated Code of Maryland
15 (2000 Replacement Volume and 2003 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - Natural Resources**

19 4-701.

20 (a) This section applies to any person who is required under Subtitle 2, 7, 8, 9,
21 or 10 of this title to be licensed to guide fishing parties or to catch, sell, buy, process,
22 transport, export, or otherwise deal in fish caught in tidal waters.

23 (b) (1) The Department shall utilize a single, commercial license, to be
24 known and designated as a tidal fish license.

25 (2) A tidal fish license authorizes a licensee:

26 (i) To engage in each activity indicated on the license; and

1 (ii) For catching crabs, to utilize the number of crew members
2 indicated on the license.

3 (3) Except for a person receiving a license under subsection (i)(2)(ii) of
4 this section, the Department may not issue a tidal fish license to an individual who is
5 younger than 14 years of age.

6 (4) A person may not guide fishing parties or catch, sell, buy, process,
7 transport, export, or otherwise deal in fish caught in tidal waters unless licensed
8 under this section.

9 (c) (1) The license year for every tidal fish license shall be 12 months from
10 September 1 through August 31 of the following year.

11 (2) A licensee and crew members may engage only in those activities for
12 which the annual fees for that license year have been paid.

13 (d) (1) The Department may issue no more than one authorization to a
14 person to engage in each activity under paragraph (2)(ii)1 and 2 of this subsection
15 during a license year.

16 (2) (i) On a tidal fish license, the Department may issue an
17 authorization for any of the following activities for which the indicated fee has been
18 paid.

19 (ii) The following annual fees for an authorization shall apply
20 regardless of when the license is issued or an activity is authorized:

21 1. To provide services as:

22 A. A fishing guide in the tidal waters of Maryland - \$50 for a
23 resident and \$100 for a nonresident; and

24 B. A master fishing guide, in addition to the fee under item A
25 of this item - \$50 per vessel

26 2. To catch for sale fish with equipment which is legal under
27 this title:

28 A. Finfish:

29 I. Hook and line only, anywhere: \$37.50

30 II. All other equipment: \$100

31 B. Crabs:

32 I. Up to 50 pots, trotlines, nets, dip nets, traps, pounds, and
33 scrapes: \$50

- 1 II. Over 50 pots, plus any other gear listed in item I of this
2 sub-sub-subparagraph: \$150
- 3 C. Clams - \$100
- 4 D. Oysters - \$250 for a dredge boat and \$50 for other than a
5 dredge boat
- 6 E. Conch, turtles, and lobster - \$50
- 7 F. For all activities in item 1A of this subparagraph and in
8 items A through E of this item, unlimited tidal fish - \$300
- 9 3. For one or two crew members employed under § 4-814 of
10 this title to enable a licensee to catch crabs under subparagraph (ii)2BII and F of this
11 paragraph with more than 300 pots, the licensee shall pay \$20 for each crew member.
- 12 4. Except for a licensee dealing in his own catch, for a person
13 to buy, process, pack, resell, market or otherwise deal in fish caught in the tidal
14 waters of Maryland, seafood dealer - \$150
- 15 (e) (1) To catch striped bass for sale:
- 16 (i) A licensee authorized under subsection (d)(2)(ii)2A of this
17 section shall pay an annual surcharge of \$200; or
- 18 (ii) A licensee authorized under subsection (d)(2)(ii)2F of this
19 section shall pay with the license fee an annual surcharge of \$100.
- 20 (2) A person may not catch oysters for sale without possessing a valid
21 license under this section and paying an annual surcharge of \$300 which shall be
22 used by the Department only for oyster repletion activities.
- 23 (3) In addition to the normal license fees imposed under subsection
24 (d)(2)(ii)2 and 4 of this section, a licensee shall pay to the Department an annual
25 surcharge of \$10 to be credited to the Seafood Marketing Office of the Department of
26 Agriculture to fund seafood marketing programs which have been approved by the
27 Department.
- 28 (4) (i) 1. In this paragraph, "fishing activities" means those
29 activities that are directly related to catching fish.
- 30 2. "Fishing activities" does not include the activities of
31 buying, selling, processing, transporting, exporting, or similarly dealing in fish.
- 32 (ii) The Department shall assess annually on every nonresident
33 license applicant for the applicant's fishing activities under Subtitles 7, 8, and 9 of
34 this title, in addition to the normal license fees imposed by this subsection, a
35 surcharge which cumulatively for the license year, shall be the greater of:

1 (h) The Department shall issue a license authorizing participation in a
2 particular fishing activity to a person who has completed the requirements of an
3 apprenticeship under § 4-701.1 of this subtitle.

4 (i) (1) A license or authorization may be transferred only under the
5 provisions of this subsection.

6 (2) The Department shall review and may approve the permanent
7 transfer of a license or an authorization to a person who is the licensee's spouse,
8 daughter, son, stepchild, grandchild, step grandchild, parent, sister, brother,
9 grandparent, father-in-law, mother-in-law, son-in-law, daughter-in-law,
10 sister-in-law, or brother-in-law, and only:

11 (i) If the licensee makes application to the Department requesting
12 transfer and the transferee has paid the fee for the license or authorization; or

13 (ii) Upon death of the licensee, if the licensee or an authorized
14 representative of the licensee indicates or had indicated that person's name to the
15 Department.

16 (3) (i) The Department may approve a temporary transfer for not less
17 than 30 days and not more than 90 days.

18 (ii) A person may not transfer a license in exchange for any type of
19 remuneration.

20 (4) (i) The Department shall establish by regulation a procedure for a
21 licensee, except a fishing guide licensee or a master fishing guide licensee, to
22 voluntarily register the licensee's commercial fishing vessel number on the face of the
23 license.

24 (ii) If a licensee has voluntarily registered the vessel number on the
25 license under subparagraph (i) of this paragraph, the licensee may allow another
26 person to use the vessel for the commercial activities authorized on the license.

27 (iii) If a licensee allows another person to utilize a vessel under
28 subparagraph (ii) of this paragraph, for purposes of the license suspension criteria in
29 subsection (k) of this section, the licensee shall be held responsible for any violations
30 committed by the person using the vessel.

31 (5) (i) This paragraph applies only to:

32 1. A licensee who has held a valid tidal fish license in each of
33 the three immediately preceding seasons; or

34 2. An authorized representative of a deceased licensee
35 regardless of the number of seasons the deceased licensee held a valid tidal fish
36 license.

1 (ii) The Department shall review and may approve a permanent
2 transfer of a license or authorization under this paragraph to a person who has:

3 1. A. Purchased a vessel used for commercial fishing from
4 the license holder; or

5 B. Purchased equipment and assets with a minimum value of
6 \$2,000 and the commercial fishing business from the license holder;

7 2. Been a crew member for at least 2 years in any commercial
8 fishery as certified by three tidal fish licensees;

9 3. Paid the fee for the license or authorization; and

10 4. Provided a notarized bill of sale.

11 (j) (1) Notwithstanding the qualification criteria for a license and
12 authorization to engage in an activity under this section, licensees may renew any
13 valid existing authorizations on their licenses annually.

14 (2) (i) Application to renew a tidal fish license shall be made not later
15 than August 31, or the next business day in the instance that the Department is not
16 open, for the following license year.

17 (ii) The Department may not accept application for renewal after
18 that date, as stated in subparagraph (i) of this paragraph unless:

19 1. Application is made by March 31, or the next business day
20 in the instance that the Department is not open, of the following license year;

21 2. The applicant shows good cause why application was not
22 made by August 31 of the previous license year; and

23 3. A late fee of \$50 is paid by the applicant in addition to the
24 license fee.

25 (j-1) (1) At the time of license renewal, a licensee who possesses three or more
26 authorizations under subsections (d)(2)(ii)1 and [(d)(2)(ii)2A] 2A through E of this
27 section, one of which is a crabbing authorization, may relinquish each authorization
28 and receive an authorization under subsection (d)(2)(ii)2F of this section.

29 (2) The Department shall adjust the number of authorizations under
30 subsection (d)(2)(ii) of this section to reflect the number of license conversions under
31 paragraph (1) of this subsection.

32 (k) (1) In addition to any other penalty provided in this title, the
33 Department may suspend [for a period of not less than 10 days nor more than 365
34 days] OR REVOKE a person's entitlement to engage in a particular activity or
35 activities under a tidal fish license.

1 (2) During a period of suspension OR REVOCATION imposed by the
2 Department, the person penalized is not and shall not be authorized under any
3 existing, renewed, TRANSFERRED, or new tidal fish license to engage in the particular
4 activity or activities for which the suspension is imposed.

5 (3) The following are grounds for suspension OF A TIDAL FISH LICENSE
6 OR AN AUTHORIZATION under this section:

7 (i) Making any false statement in an application for a tidal fish
8 license;

9 (ii) Conviction of a person for violations under this title so often as
10 to indicate an intent to disregard the fish and fisheries laws of the State, provided
11 that proceedings for [revocation] SUSPENSION on this ground are based on no fewer
12 than:

13 1. 3 convictions for violations occurring on separate days
14 within any [365-day] 2-YEAR period, of provisions under any one subtitle of this
15 title; or

16 2. 5 convictions for violations occurring on separate days
17 within any [365-day] 2-YEAR period, of any provisions under this title;

18 (iii) Failure to submit reports required by the provisions of this title
19 or by the Department pursuant to provisions of this title; or

20 (iv) Failure for a nonresident of the State to appear in court
21 pursuant to a citation issued by a Natural Resources police officer, or to any other
22 process issued by any court of Maryland, for violation of this title.

23 (4) The following are grounds for revocation of a tidal fish license OR AN
24 AUTHORIZATION:

25 (i) Submitting a false report required by the provisions of this title
26 or by the Department pursuant to the provisions of this title; [or]

27 (ii) Suspension FOR A MINIMUM OF 6 MONTHS of the person's tidal
28 fish license OR AUTHORIZATION under paragraph [(1)] (3) of this subsection more
29 than [once] TWICE in any [24-month] 6-YEAR period.

30 (5) A PENALTY IMPOSED IN ACCORDANCE WITH THIS SUBTITLE SHALL
31 BE IN ADDITION TO ANY OTHER PENALTY AUTHORIZED UNDER § 4-1201 OF THIS
32 TITLE REGARDING STRIPED BASS.

33 [(5)] (6) [For purposes of suspensions under subparagraph (ii) of
34 paragraph (3) of this subsection, the] THE Department shall adopt [as part of its
35 procedural] regulations RELATING TO THE SUSPENSION AND REVOCATION OF
36 LICENSES AND AUTHORIZATIONS ISSUED UNDER THIS TITLE, INCLUDING:

1 (i) A schedule of points assigned to various offenses under this
2 title; [and]

3 (ii) A schedule of the maximum number of days that a license may
4 be suspended according to the number of points accumulated; AND

5 (III) SUSPENSION OR REVOCATION OF A LICENSE OR
6 AUTHORIZATION OR CONVICTION OF AN OFFENSE UNDER THIS TITLE.

7 [(6)] (7) The Department shall initiate any proceeding to suspend a tidal
8 fish license under this section not later than 6 months after the time for filing an
9 appeal of the 3rd conviction under paragraph (3)(ii)1 of this subsection has passed or
10 the time for filing an appeal of the 5th conviction under paragraph (3)(ii)2 of this
11 subsection has passed.

12 [(7)] (8) Before the suspension OR REVOCATION of a tidal fish license
13 under this section, the Department shall hold a hearing upon not less than 10 days'
14 notice to the licensee, except that upon the failure of a nonresident of the State to
15 appear in a court of this State as required by any charging document accusing the
16 person of committing any offense under this title, in addition to any other appropriate
17 action taken by the court or the Department, the Department may suspend
18 immediately and without hearing any license issued to the person under this title.

19 (l) A licensee or any person to whom a licensee has transferred a license under
20 subsection (i) of this section shall have in possession the tidal fish license and any
21 valid application to transfer the commercial tidal fish license approved by the
22 Department for a temporary transfer whenever engaged in any licensed activity. The
23 licensee or any person to whom a licensee has transferred a license under subsection
24 (i) of this section shall allow any police officer to inspect the license and any
25 applicable application to transfer the commercial tidal fish license approved by the
26 Department for a temporary transfer, to conduct searches as authorized in Subtitle 12
27 of this title, and to inspect books, statements, and accounts as authorized in §
28 4-206(b) of this title.

29 (m) The Department shall assign a permanent identification number to each
30 licensee. A licensee shall display the identification number on every vessel, vehicle,
31 gear, or place of business, as the Department may require by regulation.

32 (n) The Department shall:

33 (1) Deposit to the credit of the Fisheries Research and Development
34 Fund all fees received for tidal fish licenses and apprenticeship permits; and

35 (2) Use the funds received from the sale of licenses to catch striped bass
36 for enforcement purposes during the open season for catching striped bass.

37 (o) (1) This subsection applies only to a person who, on April 1, 1997:

38 (i) Held a valid fishing guide license; and

1 (ii) Either:

2 1. Owned two or more vessels used to carry passengers for
3 fishing;

4 2. Owned or operated a federally licensed vessel of 50 tons or
5 more that was used to carry passengers for fishing; or

6 3. Owned or operated a marina from which 10 or more
7 vessels operate to carry passengers for fishing.

8 (2) A person who meets the requirements of paragraph (1) of this
9 subsection may obtain an annual master fishing guide license by:

10 (i) Filing an application on a form provided by the Department;

11 (ii) Supplying with the application proofs of ownership of the
12 required vessels; and

13 (iii) Paying the master fishing guide license fee set forth in [§
14 4-701(d)(2)(ii)1] SUBSECTION(D)(2)(II)1 of this [title] SECTION.

15 (3) A person holding a master fishing guide license may:

16 (i) Employ other persons to guide fishing parties on vessels owned
17 by the master fishing guide; and

18 (ii) Allow a person who holds a valid Coast Guard license to operate
19 a vessel to carry passengers for fishing from the marina owned or operated by the
20 master guide license holder authorized under paragraph (1)(ii)3 of this subsection as
21 follows:

22 1. One person for 10 vessels;

23 2. Two persons for 11 to 20 vessels;

24 3. Three persons for 21 to 30 vessels;

25 4. Four persons for 31 to 40 vessels;

26 5. Five persons for 41 to 50 vessels; and

27 6. Six persons for 51 or more vessels.

28 (4) (i) The Department shall issue a number of copies of the master
29 fishing guide license corresponding to the number of vessels owned or operated by the
30 master fishing guide, with each copy bearing the registration number of one of the
31 vessels.

32 (ii) The master fishing guide shall ensure that when a vessel is
33 operated, the appropriate copy of the license is on board.

1 (5) If a master fishing guide employs another person to operate a vessel
 2 to carry passengers for fishing, for purposes of the license suspension criteria in
 3 subsection (k) of this section, the master fishing guide shall be held responsible for
 4 any violations committed by the person employed to operate the vessel.

5 (p) A commercial crabbing license shall identify either Sunday or Monday as
 6 the day on which the person who holds the license may not crab for commercial
 7 purposes.

8 4-745.

9 (a) (1) Except as provided in subsections (c) and (d) of this section, a person
 10 may not fish for finfish in the Chesapeake Bay or in its tributaries up to tidal
 11 boundaries without first obtaining a Chesapeake Bay sport fishing license.

12 (2) The license may be obtained from the Department or from any
 13 authorized agent of the Department. The following annual license fees shall apply:

- | | | | |
|----|-------|--|--------|
| 14 | (i) | Resident..... | \$9 |
| 15 | (ii) | [Short term] SHORT-TERM license valid for 5 consecutive days | |
| 16 | | from date of issue | \$6 |
| 17 | (iii) | Nonresident | \$14 |
| 18 | (iv) | Resident and nonresident blind persons | No fee |

19 (3) Except for a license issued under subsection (d) of this section, every
 20 Chesapeake Bay sport fishing license shall be valid for not more than 1 year and shall
 21 expire on December 31.

22 (b) (1) The Department may designate a person engaged in a commercial
 23 enterprise to sell the Chesapeake Bay sport fishing license as an agent under the
 24 Department's control and supervision.

25 (2) As compensation, the agent shall retain \$1 for each license issued.

26 (3) The Chesapeake Bay sport fishing license shall be furnished to an
 27 agent upon satisfactory payment or upon consignment and only if the Department is
 28 given adequate security to insure ultimate payment by an agent to the Department
 29 for the licenses.

30 (4) (i) Except as provided in subparagraph (ii) of this paragraph, all
 31 fees collected on behalf of the Department pursuant to this section shall be remitted
 32 to the Department in accordance with its rules and regulations for deposit with the
 33 State Treasurer to the credit of the Fisheries Research and Development Fund to be
 34 used for the replenishment, protection, and conservation of fish stocks caught by
 35 recreational fishermen, for enhancement of recreational fishing opportunities, and for
 36 research concerning tidal fishery resources. The Department shall publicly report
 37 annually the amounts collected and the expenditures.

1 (ii) In fiscal year 1999 and in each subsequent fiscal year, the
2 Department, for the purposes set forth in subparagraph (iii) of this paragraph, shall
3 use:

- 4 1. \$2 from the sale of each license under subsection (a) of this
5 section;
- 6 2. \$20 from the sale of each license under subsection (d)(2) of
7 this section; and
- 8 3. \$225 of the special charter boat license under subsection
9 (d)(1) of this section.

10 (iii) The Department shall use the moneys specified in
11 subparagraph (ii) of this paragraph for:

- 12 1. Achieving the maximum federal fund apportionments;
- 13 2. Management assessment and sportfishing surveys; and
- 14 3. Angler outreach and public fishing information.

15 (5) In the preparation of plans for the expenditure of license receipts, the
16 Secretary annually shall solicit the advice and opinions of the Department's Sport
17 Fisheries Advisory Commission, representative fishing and boating associations, and
18 other interested parties.

19 (c) A person may fish for finfish in the Chesapeake Bay or its tidal tributaries
20 without a Chesapeake Bay sport fishing license if the person:

- 21 (1) Is under the age of 16;
- 22 (2) Possesses a valid commercial license;
- 23 (3) Is fishing from private real property as an owner, family member of
24 an owner, or nonpaying guest of an owner;
- 25 (4) Is fishing with a hook and line from a public bridge or public pier
26 which has been designated by the Department as a free fishing area;
- 27 (5) Holds a valid tidal water sport fishing license issued by the State of
28 Virginia, Potomac River Fisheries Commission, or District of Columbia, provided that
29 this exemption shall not take effect until the Secretary has published notice in the
30 Maryland Register of the Secretary's determination that the Virginia, Potomac River
31 Fisheries Commission, or District of Columbia requirements for a tidal water sport
32 fishing license are substantially similar to and reciprocal with the Chesapeake Bay
33 sport fishing license requirements of this section;
- 34 (6) Is fishing pursuant to any special license issued under subsection (d)
35 of this section;

- 1 (7) (i) Is on active duty with the armed forces of the United States;
- 2 (ii) Is a resident of this State;
- 3 (iii) Is on leave from the armed forces; and
- 4 (iv) Has, while fishing, a copy of the person's official leave orders;
- 5 (8) Fishes on a free fishing day designated by the Secretary; or
- 6 (9) Holds a current resident consolidated senior sport fishing license
7 issued under § 4-216 of this title.

8 (d) (1) The Department may provide by regulation for issuance of a special
9 charter boat license that would be valid for all individuals on a charter boat operated
10 by a licensed fishing guide. The fee shall be:

- 11 (i) For 6 fishermen or less \$240.
- 12 (ii) For 7 or more fishermen \$290.

13 (2) (i) The Department may provide by regulation for issuance of an
14 annual special Chesapeake Bay sport fishing license, which when permanently
15 affixed to a boat registered in any state shall authorize any person on the boat to fish
16 for finfish in the Chesapeake Bay or in its tributaries up to tidal boundaries, except
17 that such a license may not be used on a boat which has been hired to take such
18 persons fishing.

19 (ii) The annual fee for this special license shall be \$40.

20 (iii) If a boat owner purchases the special license under this
21 paragraph, the boat owner may fish anywhere in the Chesapeake Bay, whether the
22 boat owner is fishing in the owner's boat, in another person's boat, on land, or
23 elsewhere. The Department shall issue a complimentary Chesapeake Bay sport
24 fishing license to the boat owner who purchases a special license under this
25 paragraph. If a boat to which the special license is affixed has more than one owner,
26 then only the individual applicant who signs the application for the special license
27 shall be entitled to a complimentary Chesapeake Bay sport fishing license under this
28 paragraph.

29 (E) (1) IN ADDITION TO ANY OTHER PENALTY PROVIDED IN THIS SUBTITLE,
30 THE DEPARTMENT MAY SUSPEND A PERSON'S ENTITLEMENT TO ENGAGE IN A
31 PARTICULAR ACTIVITY OR ACTIVITIES LICENSED OR PERMITTED UNDER THIS
32 SECTION.

33 (2) DURING A PERIOD OF SUSPENSION IMPOSED BY THE DEPARTMENT,
34 THE PERSON WHOSE LICENSE HAS BEEN SUSPENDED MAY NOT ENGAGE IN AN
35 ACTIVITY FOR WHICH THE LICENSE SUSPENSION IS IMPOSED.

1 (3) THE FOLLOWING ARE GROUNDS FOR SUSPENSION OF A LICENSE
2 ISSUED UNDER THIS SECTION:

3 (I) MAKING A FALSE STATEMENT IN AN APPLICATION;

4 (II) THREE CONVICTIONS FOR VIOLATIONS OCCURRING ON
5 SEPARATE DAYS WITHIN ANY 3-YEAR PERIOD OF PROVISIONS UNDER THIS TITLE;

6 (III) FAILURE TO SUBMIT A REPORT REQUIRED UNDER THIS TITLE
7 OR BY REGULATION; OR

8 (IV) FAILURE OF A NONRESIDENT OF THE STATE TO APPEAR IN
9 COURT PURSUANT TO A CITATION ISSUED BY A NATURAL RESOURCES POLICE
10 OFFICER, OR TO ANY OTHER PROCESS ISSUED BY ANY COURT OF MARYLAND, FOR
11 VIOLATION OF THIS TITLE.

12 (4) A PENALTY IMPOSED IN ACCORDANCE WITH THIS SECTION IS IN
13 ADDITION TO ANY OTHER PENALTY AUTHORIZED UNDER § 4-1201 OF THIS TITLE
14 REGARDING STRIPED BASS.

15 (5) THE DEPARTMENT SHALL ADOPT REGULATIONS THAT PROVIDE:

16 (I) A SCHEDULE OF POINTS ASSIGNED TO VARIOUS OFFENSES
17 UNDER THIS TITLE;

18 (II) A SCHEDULE OF THE MAXIMUM NUMBER OF DAYS THAT A
19 LICENSE MAY BE SUSPENDED ACCORDING TO THE NUMBER OF POINTS
20 ACCUMULATED; AND

21 (III) FOR SUSPENSION OF A LICENSE FOR CONVICTION OF AN
22 OFFENSE UNDER THIS TITLE.

23 (6) THE DEPARTMENT SHALL INITIATE ANY PROCEEDING TO SUSPEND A
24 LICENSE UNDER THIS SECTION NOT LATER THAN 6 MONTHS AFTER THE TIME FOR
25 FILING AN APPEAL OF THE THIRD CONVICTION UNDER PARAGRAPH (3)(II) OF THIS
26 SUBSECTION HAS PASSED.

27 (7) BEFORE THE SUSPENSION OF A LICENSE UNDER THIS SECTION, THE
28 DEPARTMENT SHALL HOLD A HEARING ON NOT LESS THAN 10 DAYS' NOTICE TO THE
29 LICENSEE, EXCEPT THAT ON THE FAILURE OF A NONRESIDENT OF THE STATE TO
30 APPEAR IN A COURT OF THIS STATE AS REQUIRED BY ANY CHARGING DOCUMENT
31 ACCUSING THE PERSON OF COMMITTING ANY OFFENSE UNDER THIS SUBTITLE, IN
32 ADDITION TO ANY OTHER APPROPRIATE ACTION TAKEN BY THE COURT OR THE
33 DEPARTMENT, THE DEPARTMENT MAY SUSPEND IMMEDIATELY AND WITHOUT
34 HEARING ANY LICENSE ISSUED TO THE PERSON UNDER THIS TITLE.

35 SECTION 2. AND BE IT FURTHER ENACTED, That the Department shall
36 adopt regulations relating to the suspension of licenses for specific offenses in
37 accordance with the recommendations made by the workgroup created by the Tidal
38 Fish Advisory Commission and the Sport Fish Advisory Commission.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
2 effect October 1, 2004.